

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting
Tuesday, May 27, 2003 - - 7:30 p.m.

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Baier, Director of Transportation and Environmental Services; Mr. Neckel, Director of Finance; Ms. Davis, Director of Housing; Ms. Fogarty, Director of Planning and Zoning; Mr. Mandley, Director of General Services; Ms. Ross, Deputy Director of Planning and Zoning; Public Information Officer Gordon; Director of Citizen Assistance Boyd; Director of Information Technology Services Cole; City Engineer Baker; Police Chief Samarra, Deputy Police Chief Baker and staff; and Police Lieutenant Uzzell.

Recorded by: Susan K. Seagroves, Deputy City Clerk and Clerk of Council.

At 6:00 p.m., there was a work session in the Council Workroom to discuss the programs provided by the Alexandria Small Business Development Center.

Director Reagan introduced the Small Business Development Center staff, Chamber of Commerce President Moore and Board Chair Redmon. Director Reagan talked about the role of the Center and gave a brief overview of the services it provides. Members of his staff presented more specific information outlining the various programs available. The agenda was followed.

Director Reagan and staff responded to questions posed by City Council, and they participated in the discussion.

The work session was concluded at approximately 7:25 p.m.

(Material pertaining to the above work session is on file in the office of the City Clerk and Clerk of Council and is incorporated herewith as part of the record.)

At 7:25 p.m., there was a meeting in the Council Workroom of the Members of the Corporation of the Capital Development Foundation to Elect the Initial Directors.

(A copy of the City Attorney's memorandum dated May 24, 2003, along with the agenda and candidate resumes is on file in the office of the City Clerk and Clerk of Council, and is incorporated herewith as part of this record.)

It was noted that Mr. Donley was appointed chair, Mr. Pessoa was appointed secretary, and Harry S. Flemming, Dennis J. Garcia, and David G. Speck were elected to serve three-year terms as directors of the corporation.

* * * * *

OPENING

The Meeting was called to Order by Mayor Donley, and the Deputy City Clerk called the Roll; all Members of City Council were present with Councilwoman Eberwein arriving at 7:47 p.m.

City Council observed a moment of silence and then recited the Pledge of Allegiance.

3. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council approved the Minutes for (a) the Regular Meeting of May 13, 2003. The voting was as follows:

Cleveland	"aye"	Eberwein	not yet arrived
Pepper	"aye"	Euille	"aye"
Donley	"aye"	Speck	out of room
		Woodson	"aye"

4. **THERE BEING NO DISCUSSION**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried on a vote of 5-to-0, City Council received the report of the City Clerk dated May 19, 2003, a copy of which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 5/27/03, and is incorporated herewith as part of this record by reference. The voting was as follows:

Cleveland	"aye"	Eberwein	not yet arrived
Pepper	"aye"	Euille	"aye"
Donley	"aye"	Speck	out of room
		Woodson	"aye"

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

5. Recognition of TEMS (Technology, Engineering, Math and Science) Students.

City Council recognized the TEMS Students and Mentors and encouraged them in their future endeavors.

OPENING (continued)

6. Presentation of Proclamation Proclaiming May 25 through May 31, 2003, as Week of Remembrance of the Freedmen's Cemetery.

(A copy of the proclamation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/27/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Eberwein arrived during this item

Councilman Euille presented the proclamation.

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

7. Brief Presentation by the Chamber of Commerce on Its New Program, Leadership Alexandria.

(A copy of informational material on Leadership Alexandria is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/27/03, and is incorporated herewith as part of this record by reference.)

The Chamber of Commerce reported on its new Program Leadership in Alexandria.

Councilwoman Woodson mentioned that she had spoken to Ken Moore about Leadership Alexandria and that she hopes he will develop as soon as possible a program for the youth to develop themselves.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (8-14)

8. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Alexandria Commission for Women
Olga Trujillo

(A copy of the above resignation is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8(a); 5/27/03, and is incorporated herewith as part of this record by reference.)

9. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Affordable Housing Advisory Committee
1 Representative of A Civic Association in the City
- (b) Alexandria Commission on Employment
1 Representative From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-Based Organizations, Economic Development Agencies and the Public Employment Services
- (c) Alexandria Human Rights Commission
1 Citizen Member

(Material pertaining to the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 9(a-c); 5/27/03, and is incorporated herewith as part of this record by reference.)

10. Receipt of the Monthly Financial Report for the Period Ending April 30, 2003.

(A copy of the City Manager's memorandum dated May 19, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 5/27/03, and is incorporated herewith as part of this record by reference.)

11. Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated May 16, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 5/27/03, and is incorporated herewith as part of this record by reference.)

12. Consideration of Grant Award from the Department of Labor for Building Capacity and Sustainability in Employment Services for Persons with Disabilities.

(A copy of the City Manager's memorandum dated May 16, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/27/03, and is incorporated herewith as part of this record by reference.)

13. Consideration of Renewal Grant Application to the Virginia Department of Environmental Quality for FY 2004 Pass-through Funding from the U.S. Environmental Protection Agency (EPA) for the City of Alexandria Air Pollution Control Program.

(A copy of the City Manager's memorandum dated May 13, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 5/27/03, and is incorporated herewith as part of this record by reference.)

14. Consideration of Court Service Unit Plan for the Expenditure of Federal Revenues.

(A copy of the City Manager's memorandum dated May 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 5/27/03, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

CONSENT CALENDAR (continued)

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Consent Calendar as presented. The City Manager's recommendations are as follows:

8. City Council received the following resignation with regret: (a) Olga Trujillo from the Alexandria Commission for Women; requested the Executive Secretary for Boards and Commissions to send the appropriate letter of appreciation and to advertise the vacancy in the usual manner.

9. City Council (a) reappointed Mariella Posey as a Representative of a Civic Association in the City to the Alexandria Affordable Housing Advisory Committee; (b) approved the residency waiver and reappointed Nancy Dean as a Representative From Such Organizations as Educational Agencies, Organized Labor, Rehabilitation Agencies, Community-Based Organizations, Economic Development Agencies and the Public Employment Services to the Alexandria Commission on Employment; and (c) reappointed Jimmie McClellan as a Citizen Member to the Alexandria Human Rights Commission.

10. City Council received the Monthly Financial Report for the period ending April 30, 2003.

11. City Council: (1) authorized the capital project allocations and planned expenditures for the capital projects as detailed in the Capital Improvement Expenditure Summary; and (2) authorized the City's allocation of \$399,000 in Housing Trust Fund monies (in addition to the \$301,000 in capital project monies recommended for allocation as an element of recommendation #1 above) in order to provide the Alexandria Redevelopment and Housing Authority (ARHA) a total of \$700,000 as a temporary bridge loan to finance its planned demolition of the Samuel Madden Homes (Downtown) site prior to the receipt of federal grant funds.

12. City Council: (1) approved the grant award in the amount of \$145,500 to build improved, sustainable employment services for persons with disabilities; (2) approved the establishment of one full-time, grant-funded position (one Community Resource Consultant/Assistive Technology Specialist) to coordinate and carry out the program. The position will terminate upon expiration of the grant. The individual who fills the position will be notified of this condition of employment and will sign an agreement of understanding with regard to this condition; and (3) authorized the City Manager to execute all documents as may be required.

13. City Council authorized the City Manager to: (1) submit a renewal grant application to the Virginia Department of Environmental Quality for FY 2004 pass-through funding from EPA, in the amount of \$43,730, for the City of Alexandria Air Pollution Control Program; and (2) execute all necessary documents that may be required.

14. City Council deferred this item until the Tuesday, June 10, 2003 City Council legislative meeting.

END OF CONSENT CALENDAR

The voting was as follows:

Woodson	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
	Speck	"aye"	

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

15. Consideration of Grant Application for Funding from the COPS Universal Hiring Program.

(A copy of the City Manager's memorandum dated May 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 5/27/03, and is incorporated herewith as part of this record by reference.)

Councilman Euille expressed his concern that we continue to have officers in the schools, and the Chief responded to his query.

The City Manager responded to questions posed to him by Councilwoman Woodson on the contingent reserves and other budget-related issues. City Manager Sunderland and Council participated in the discussion.

Councilwoman Pepper inquired about the recent news that consideration is being given for D.C. area police officers to expand their jurisdiction into the Metropolitan area, and Police Chief Samarra gave her an update.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the grant application to the U.S. Department of Justice for a total of \$1,444,941 for 3 years, of which the federal share is \$659,979 and the City share is \$784,962; (2) contingent upon federal approval of this grant application, allocated \$282,540 from the City's FY 2004 Contingent Reserve; and (3) authorized the City Manager to execute all necessary documents. The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

16. Consideration of Proposed Lease for Office Space at 2034 Eisenhower Avenue and 309 Hoof's Run Drive to Meet Interim Space Needs of the Police Department.

(A copy of the City Manager's memorandum, dated May 22, 2003, together with the two leases, is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 16; 5/27/03, and is incorporated herewith as part of this record by reference.)

Councilman Euille directed questions to Director of General Services Mandley on build-out costs and other negotiation issues, and Mr. Mandley responded.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council authorized the City Manager to execute, on behalf of the City, and to deliver the leases, in substantially the form presented to the Council with such changes as are approved by the City Manager and the City Attorney. The execution of the leases by the City Manager shall constitute conclusive evidence of his approval, and that of the City Attorney, of any and all changes from the documents made available to the City Council. The voting was as follows:

Pepper	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Speck	"aye"
	Woodson	"aye"	

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

REPORTS BY MEMBERS OF CITY COUNCIL

(a) Councilman Speck reported on his recent participation in the Citizen Fire Academy which he found to be one of the most interesting experiences he has ever had. He has a better appreciation of what the equipment does that Council is asked to approve to accommodate new systems and approaches. He is fully appreciative of the training and physical conditioning that firefighters and emergency personnel go through. He encouraged other Council Members to attend the Academy.

(b) Councilwoman Woodson related that perhaps we could use a City Government Citizens Academy. There are so many nuances that just escape citizens when it comes to navigating their City government: understanding what we do, how it works, and how they can get through it without too many headaches. She suggested that this could be run out of Citizen Assistance, and the City Manager might look into this.

(c) Councilwoman Woodson reported, as chair of the Metropolitan Development Policy Committee for COG, that their smart growth media video is nearing completion of the early stages and should be available sometime in the fall. It will be a short, interactive video and will link directly back to the web site to further define the site from which you came. This should be a great tool for all the local jurisdictions as well as the civic associations and other civic groups.

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Euille corrected some commentary that was taken out of context in a recent *Washington Business Journal* article regarding the Duke-Eisenhower Connector. He stated that he was in no way advocating that we abort the process which was the plan of action that he offered last October, and that City Council adopted, to move forward with a comprehensive, integrated transportation and land use management plan as we complete the development of both the East and West Eisenhower plans. What was taken out of context was the use of the word "connector." He was talking more specifically about a "road connection," and he wanted to make this clarification public. Councilman Euille stated that he would like to get away from the use of the word "connector" and refer to a better description to focus on a solution in terms of the Eisenhower Avenue grid system as the word "connector" is no longer appropriate.

(b) Vice Mayor Cleveland announced that this Saturday, May 31, at the courthouse at 520 King Street, there is going to be Adoption Saturday. Also, on Saturday evening, COG is doing a Foster Parent Appreciation Day, and it will be at the Grant Hyatt from 7-11 p.m. for all of the foster parents. There are about five or ten of our foster parents nominated for a special award, and he encouraged anyone who is interested to attend to see what we are doing here through DHS and the court system.

(c) Councilman Speck expressed his growing concern about the coordination of the early occupancy of the Patent Trademark Office and the delay in the construction of the concourse underneath Duke Street. The concourse construction project has been delayed for a number of reasons, but the hope was that project would have been completed before the end of this year. The combination of the increased traffic resulting from early occupancy of the building and the delay in the construction of the concourse will cause a significant disruption of the traffic on Duke Street.

City Manager Sunderland responded that PTO is not having early occupancy at this point but having an early delivery of the buildings. Right now, PTO is still not intending to move into the first building until December 2003. He explained that we had a condition in the special use permit for Carlyle that this concourse would be constructed and operational on December 31, 2003, just as the first building of PTO was being occupied.

Director Baier explained discussions involving Planning and Zoning, Code Enforcement, T&ES and WMATA, Dominion Virginia Power and Norfolk-Southern. His hope is to get the major utility issues resolved more quickly and to provide additional muscle if we can do so. During the interim, planning has been ongoing to make it as safe as possible for pedestrians crossing the roadway. Director Baier reported that he will have a better idea on the construction time for the concourse, and that it will require that it come back to Council as a major [special use permit] amendment. He stated that it is likely that it will not be done by the end of the year.

Director Baier assured Vice Mayor Cleveland that there is no concern of any interruption of utilities to Carlyle Towers.

Councilman Speck expressed his concern that we will have several hundred or more people working in PTO and who are not going to be able to walk under the street. The concourse was created for the ease of connection from the buildings to the King Street Metro station. If it's difficult for people to cross the street, then they are going to drive their cars, they will get used to driving, and it will be difficult to get them out of their cars.

Mayor Donley suggested it would be worthy of consideration to get people to use the under-utilized Eisenhower Metro station with a shuttle which avoids crossing Duke Street.

Councilman Euille asked staff to respond in a memo to the Council: when did we know this, how did it happen, why is it happening and why is it just now evolving to get to this level to the Council. City Council specifically created a citizen task force for PTO which then subdivided into specific tasks. One of these was dealing with this concourse project and there was another on dealing with transportation traffic impacts, so the planning process was all in place to avoid just this type of a situation. He suggested that the City Manager should develop a process for a couple of representatives of Council and citizen representatives to be part of a monitoring process to make sure that this stays on track.

(d) Councilwoman Woodson stated Council has received a good number of e-mails from Hunting Towers residents, and she asked the City Manager to give Council an update on what is happening there.

Transportation and Environmental Services Director Baier reported on ongoing efforts involving the issue which centers on the need and the perceived need for a signal at the temporary access driveway. Traffic counts have been done, but VDOT still has a reservation about the a.m. left-out driving over two lanes of traffic. Director Baier reported that he and Councilman Euille have a workable solution with the Project. The City will go out in September or October to look at factors of consideration as to whether or not the next step needs to be a signal, whether fully operational or just operational during the peak hours, and we will submit our findings to the Project. They will provide the legwork, and we will be doing the evaluating.

Mayor Donley clarified that VDOT does not want to allow any left-hand turn movement, and they point to the light traffic counts. Their overriding concern is safety, as is ours. The Mayor reported that we were able to prevail upon VDOT last week to permit the left-hand turn movement at a stop sign, feeling that the traffic signal at Porto Vecchio at South Alfred Street will allow enough stop time for northbound traffic for a left-hand turning movement to be easily negotiated. The City is going to study it for 90 days over the summer into the fall to ensure that there aren't safety issues. If we can accommodate that movement, we want to be able to do it, but we want to be able to do it in a safe manner.

(e) Mayor Donley asked City Manager Sunderland to convene the naming committee to get something back to Council. The Mayor asked the City Manager to do his best to convene the committee and try to get something back to Council in June, and if not in June, maybe in the fall, on the concept of renaming Waterfront Park after John Fitzgerald, who was a important person in Alexandria's history.

Councilman Speck also added an item to the naming committee agenda. The Knight family, on behalf of Clinton Knight, who was many, many years ago a member of the Council, the Postmaster of the City and someone generally credited with being critical, if not solely instrumental, in the saving of Gadsby's Tavern from demolition, has asked for something that would recognize that contribution.

REPORT FROM CITY MANAGER

(a) City Manager Sunderland introduced a brief presentation on Phase 1 of the **E-news You Can Use** system being developed for citizen access to City information via e-mail. He provided other options this system is able to provide but that the City has not yet decided to use. This program will be up and going by mid-June.

(b) The City Manager reported that the new SPARC program (a low-interest homeownership loan program from VHDA) called Home Stretch has come out with a program that goes up to \$20,000 for a second trust -- 3 years, no interest, 27-year amortization at 5% after that, so the City is tagging into some Home Stretch money that can be used in conjunction with VHDA first trust, second trust and our HAP [Homeownership Assistance Program] and our MIP [Moderate-Income Housing Assistance] program. We will try to focus it on public employees as well as the EAH (Employer Assisted Housing) program.

Councilwoman Woodson directed questions to Director of Housing Davis on the mortgages, and Ms. Davis participated in the discussion.

17. Consideration of Resolution Requesting the Reallocation of State Urban Funds from the Washington Metropolitan Area Transit Authority (WMATA) Capital Programs to Purchase DASH Buses. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated May 14, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 5/27/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Pepper asked about the number of buses being purchased and stated again the need for a bus facility. Assistant City Manager Jinks responded to her questions.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Euille and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution. The voting was as follows:

Pepper	"aye"	Cleveland	"aye"
Euille	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

The resolution reads as follows:

RESOLUTION NO. 2071

WHEREAS, the King Street Underpass project was removed from the State's Six-Year Urban Transportation Program at the request of City Council in May 2000; and

WHEREAS, the money formerly programmed for the King Street Underpass project was reprogrammed for the acquisition of land for a new, expanded DASH transit facility, the acquisition of DASH buses, and WMATA capital funding; and

WHEREAS, the amount of State Urban Funds reprogrammed to WMATA capital is sufficient to fund several years of the City's share of the WMATA CIP as currently proposed; and

WHEREAS, the City has an immediate need for additional DASH bus purchase funding;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:

The City requests that the Virginia Department of Transportation (VDOT) reprogram \$1,481,000 formerly programmed to the King Street Underpass project and later reprogrammed to WMATA capital projects for the acquisition of DASH buses; and

BE IT FURTHER RESOLVED by the City Council of Alexandria, Virginia:

The City Council authorizes the City Manager to execute, on behalf of the City of Alexandria, all documents necessary to reprogram \$1,481,000 of Urban Funds to purchase DASH buses.

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OTHER

18. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 5/27/03, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson advised that she will be out of town the weekend of the Birthday Celebration and will be unable to attend.

WHEREUPON, upon motion by Councilman Speck, seconded by Councilwoman Eberwein and carried unanimously, City Council received the revised schedule. The voting was as follows:

Speck	"aye"	Cleveland	"aye"
Eberwein	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Woodson	"aye"	

CONTESTED APPOINTMENTS

19. Alexandria Human Rights Commission 1 Citizen Member

(The following persons volunteered for appointment to the above Commission:)

NAME	ENDORSED BY:
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Linda Cheatham

Stephen Newman

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 19; 5/27/03, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council appointed Linda Cheatham as a Citizen Member to the Alexandria Redevelopment and Housing Authority Board of Commissioners.

Donley	-	Cheatham
Cleveland	-	Newman
Eberwein	-	Cheatham
Euille	-	Cheatham
Pepper	-	Cheatham
Speck	-	Cheatham
Woodson	-	Cheatham

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, at 9:30 p.m., the Regular Meeting of May 27, 2003, was adjourned. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

* * * * *

APPROVED BY:

KERRY J. DONLEY **MAYOR**

ATTEST:

Susan K. Seagroves, Deputy City Clerk